

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HELEN OF TROY LIMITED
CORPORATION,

Plaintiff,

v.

THE WAREHOUSE USA, LLC, ET AL,

Defendants.

§
§
§
§
§
§
§
§
§
§


Case No. 2:18-CV-00541-JRG-RSP

ORDER

This civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 35) by Magistrate Judge Payne, which recommends that that Defendant The Warehouse USA, LLC's ("The Warehouse") motion to dismiss Plaintiff Helen of Troy Limited Corporation's Amended Complaint (Dkt. No. 16) for failure to state a claim upon which relief can be granted or, in the alternative, motion for a more definite statement (Dkt. No. 19) be denied. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, the Amended Complaint, and the parties' briefing, the Court concludes Magistrate Judge Payne's Report & Recommendation (Dkt. No. 35) is correct and is hereby **ADOPTED**. Accordingly, The Warehouse's motion to dismiss or, in the alternative, motion for a more definite statement (Dkt. No. 19) is **DENIED**.

So ORDERED and SIGNED this 6th day of September, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE